

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

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KENYA WARD GAMBLE,

*Plaintiff,*

v.

Deputy BROOKS, *et al.*,

*Defendants.*

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CIVIL ACTION NO.  
3:25-cv-00006-TES

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ORDER DISMISSING CASE

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Plaintiff Kenya Gamble filed this 42 U.S.C. § 1983 action on January 3, 2025. [Doc. 1]. Initially, Plaintiff filed the action in the Macon Division, where Judge Treadwell granted Plaintiff's Motion to Proceed *In Forma Pauperis* [Doc. 2], and directed him to amend his Complaint [Doc. 1] so the Court could appropriately screen it pursuant to 28 U.S.C. § 1915(e). [Doc. 3, p. 1].<sup>1</sup> Judge Treadwell's Order gave Plaintiff 21 days to comply, but Plaintiff failed to filed an amended pleading.

Judge Treadwell explicitly warned: "Failure to fully and timely comply with this order may result in the dismissal of this action." [*Id.*]. Therefore, because the Court warned Plaintiff of the possible consequences and he still chose not to comply, the Court **DISMISSES** Plaintiff's Complaint [Doc. 1] without prejudice and **DIRECTS** the

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<sup>1</sup> Judge Treadwell also transferred this case to the Athens Division because that is "where the defendants reside." [Doc. 3, p. 1].

Clerk of Court to **CLOSE** this case. *See* Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) (first citing Fed. R. Civ. P. 41(b); and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The [C]ourt may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.").

**SO ORDERED**, this 11th day of February, 2025.

S/ Tilman E. Self, III

**TILMAN E. SELF, III, JUDGE**

**UNITED STATES DISTRICT COURT**